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Before the
Federal Communications Commission
Washington, DC 20554

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In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
(Crisfield, Maryland, Belle Haven,)
Nassawadox, Exmore and Poquoson,)
Virginia))

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MD Docket No. 02-76
RM-10405

To: Assistant Chief, Audio Division
Media Bureau

**COUNTERPROONENTS' MOTION FOR LEAVE TO FILE FURTHER RESPONSE
TO TIDEWATER'S OPPOSITION TO COUNTERPROONENTS' MOTION**

Commonwealth Broadcasting, LLC and Sinclair Telecable, Inc., dba Sinclair Communications (collectively "Counterproponents") hereby submit their Motion For Leave To File Further Response To Tidewater's Opposition to Counterproponents' Motion.

In support hereof, they state as follows:

1. In its Opposition, Tidewater again distorts the record regarding Counterproponents' Poquoson reference site and submits a late-filed zoning argument to which Counterproponents ought to be permitted to respond. Further, Tidewater, for the first time, expressly suggests that the Counterproposal was not mutually exclusive with WBEY's Crisfield proposal which launched this rulemaking. Not surprisingly, Tidewater asserts therefore that a new rulemaking should be launched. This preposterous proposal, to which Counterproponents should also be permitted to reply,


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again reveals Tidewater's delaying intent. Tidewater relentlessly pursues this goal without any concern as to the burden on the public interest and the Commission's staff.

2. Under these circumstances, the "issues" regarding "lack of notice and denial of due process" (at 7) that Tidewater cites are exactly the bases for grant of this motion. Counterproponents should be allowed to respond to arguments raised for the first time in what purports to be a procedural opposition.

WHEREFORE, the premises considered, this Motion should be granted and the attached Further Response considered on its merits.

Respectfully submitted,
COMMONWEALTH BROADCASTING, L.L.C.
and
SINCLAIR TELECABLE, INC.,
DBA SINCLAIR COMMUNICATIONS

By: 
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Their Counsel

October 1, 2002

CERTIFICATE OF SERVICE

I, Evelyn M. Ojea, hereby certify that on this 1st day of October, 2002, I caused copies of the foregoing "Counterproponents' Motion For Leave To File Further Response To Tidewater's Opposition To Counterproponents' Motion" to be delivered, via United State Postal Service, or as otherwise specified, to the following individuals:

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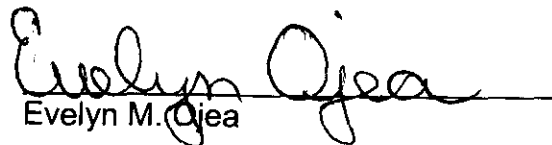
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